

**Maharashtra State Electricity Distribution Co. Ltd.'s  
Consumer Grievance Redressal Forum  
Nagpur Urban Zone, Nagpur**

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**Case No. CGRF(NUZ)/0110/2006**

- Applicant : M/s. Bhartiya Bamboo Udyog  
through its Proprietor  
Shri Anand Jagnath Gulhane,  
Plot No. 7, Vishwasnagar Ward No.3,  
Patansawangi, Tah. Saoner,  
Dist. Nagpur.
- Non-Applicant : The Nodal Officer-  
Assistant Engineer,  
O&M Division- II,  
Nagpur representing the MSEDCL.
- Quorum Present : 1) Shri S.D. Jahagirdar,  
Chairman,  
Consumer Grievance Redressal  
Forum,  
Nagpur Urban Zone,  
Nagpur.
- 2) Smt. Gouri Chandrayan,  
Member,  
Consumer Grievance Redressal  
Forum,  
Nagpur Urban Zone,  
Nagpur.
- 3) Shri M.S. Shrisat  
Exe. Engr. & Member Secretary,  
Consumer Grievance Redressal Forum, NUZ,  
MSEDCL, Nagpur.

**ORDER (Passed on 07.04.2006)**

The present grievance application has been filed on 13.03.2006 under Regulation 6.3 of the Maharashtra Electricity Regulatory Commission (Consumer Grievance Redressal Forum & Ombudsman) Regulations, 2003 here-in-after referred-to-as the said Regulations.

The grievance of the applicant is in respect of non-provision of a new three phase 10 HP LT connection to the applicant for starting a Small Scale Industry in his wife's plot no. 7, Vishwasnagar, Ward No. 3, Village Patansawangi, Tah. Saoner, Dist. Nagpur.

The applicant had applied to the non-applicant for releasing a new electricity connection on 14.12.2005 with a view to starting a Small Scale Industry at plot no. 7, survey no. 323/A/C/7 held in the name of Smt. Manju Anand Gulhane who is the wife of the applicant. Thereupon, the non-applicant by his letter being letter no. 8024 dated 21.12.2005, informed the applicant to produce a revised clean NOC of Grampanchayat Patansawangi Panchayat Samiti, Saoner, Dist. Nagpur within 15 days failing which, the applicant's request shall be rejected. The Gram Panchyat had earlier objected to starting of his business in the land survey no. 323 on the ground that this land is involved in a dispute.

The matter was heard by us on 03.04.2006. A copy of the non-applicant's parawise report dated 29.03.2006 was given to the applicant on 01.04.2006 and he was given opportunity to offer his say on this parawise report also.

The only point that needs to be decided in this case is whether the non-applicant's action of refusing to release a new

electricity connection to the applicant on the basis of the Grampanchayat's Certificate dated 05.12.2005 is correct and legal.

The contention of the applicant is that plot no. 7 comprised in survey no. 323/A/C of village Patansawangi is owned by his wife Smt. Manju Anand Gulhane. The applicant wants to start his new venture in this plot.

The applicant added that there is no dispute, whatsoever, pending in respect of land survey no. 323 A & C of village Patansawangi as mentioned by Grampanchayat in its Certificate dated 05.12.2005.

He has produced copies of the Solvency Certificate dated 21.10.2003 and another dated 12.12.2005 respectively issued by the Sub-Divisional Officer, Saoner and Nayab Tahsildar Saoner and also a copy of village Form No. VII / XII of the land in question. Relying on these documents, the contention of the applicant is that they clearly establish the undisputed right of ownership of his wife Smt. Manju Anand Gulhane.

According to him, the Grampanchayat, Patansawangi is deliberately creating problems in the applicant's case without any substantial documentary proof.

He has strongly objected to the mention made by Grampanchayat in its Certificate dated 05.12.2005 to the effect that the land survey no. 323 A & C is not free from any dispute.

He has also produced a copy of the letter dated 06.01.2006 addressed to the Chief Executive Officer, Zilha Parishad, Nagpur by the Collector, Nagpur in response to the applicant's complaint application made to be Collector. This letter clarifies that plot no. 7,

Khasra No. 323/A/C of village Patanswangi is held in the name of Smt. Manju Anand Gulhane in Class I occupancy rights and that the same is not involved in any dispute. Relying on this letter, the applicant's submission is that no dispute at all is pending in respect of the said plot no. 7 as wrongly held by the Grampanchayat, Patanswangi.

He, therefore, requested that the electricity connection sought for by him may be ordered to be released forthwith.

The non-applicant, on his part, has stated in his parawise report that a clean N.O.C. is not issued by Grampanchayat, Patanswangi and that the land survey no. 323 A & C is involved in a dispute. The non-applicant added that this is the only ground on which the applicant's request has not been granted so far.

We have carefully gone through the record of the case, all documents produced on record by both the parties and also all submissions, written & oral, made before us by both of them.

The various documents produced by the applicant go to prove beyond doubt that there is no dispute in respect of land survey no. 323 A & C of village Patanswangi. Smt. Manju Anand Gulhane the wife of the present applicant is undisputedly the legal owner of the plot no. 7.

It is not understood as to on which basis the Grampanchayat, Patanswangi has made a mention in its Certificate dated 05.12.2005 that the land survey no. 323 A&C is not free from any dispute. The Collector's letter dated 06.01.2006 addressed to the Chief Executive Officer, Zilha Parishad, Nagpur nullifies the vague claim of the Grampanchayat.

According to us, the non-applicant ought to have released the new electricity connection to the applicant on the basis of documents produced before him by the present applicant. Even otherwise, the Certificate dated 05.12.2005 issued by the Grampanchayat, Patanswangi clearly demonstrates that it has no objection in principle to allow the applicant to start his business in the village Panchayat limits.

In the result, we allow the grievance application and direct the non-applicant to release the new electricity connection sought for by the applicant within a period of one month from the date of this Order subject to the applicant full-filling the other requisite formalities like payment of demand note amount, submission of test report etc.

The non-applicant shall report compliance of this Order to this Forum on or before 15.05.2006.

Sd/-  
(M.S. Shrisat)  
Member-Secretary

Sd/-  
(Smt. Gouri Chandrayan)  
Member

Sd/-  
(S.D. Jahagirdar)  
CHAIRMAN

**CONSUMER GRIEVANCE REDRESSAL FORUM  
MAHARASHTRA STATE ELECTRICITY DISTRIBUTION CO LTD's  
NAGPUR URBAN ZONE, NAGPUR.**